

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SPENCER MATTHEWS,

Petitioner,

v.

ERIC HOLDER, et al.,

Respondent.

Civil Action No. 13-12142-DJC

ORDER

CASPER, J.

October 18, 2013

Petitioner Spencer Mathews, a citizen of Liberia being held in immigration detention at the Suffolk County House of Correction, initiated this action by filing a Petition for Writ of Habeas Corpus asserting a due process claim under the principles set forth by the Supreme Court in Zadvydas v. Davis, 533 U.S. 678 (2001)(an admissible alien can be held only for a "reasonable period," which is presumed to be six months, unless the government can show that there is a "significant likelihood of removal in the reasonably foreseeable future"). D. #1 ("Petition").

By Procedural Order dated August 29, 2013, petitioner was advised that if he wishes to proceed with this action, he either must pay the \$5.00 filing fee or file a motion for leave to proceed in forma pauperis. D. #6 ("Order"). The Order provided petitioner with additional time and was advised that failure to comply may result in the dismissal of this action without prejudice.

To date, petitioner has failed to address the filing fee issue and the time period for doing so has expired.

Accordingly, for the reasons set forth in the August 29, 2013 Procedural Order, it is hereby

Ordered that the above-captioned matter is DISMISSED without prejudice.

SO ORDERED.

/s/ Denise J. Casper
Denise J. Casper
United States District Judge